

STATE HUMAN RIGHTS
COMMITTEE

Christina Delzingaro, Chair
Richmond

Randy Johnsey, V-Chair
Glade Spring

Thomas C. Bullock
South Hill

Penny Cameron
Reston

Carolyn DeVillbiss
Alexandria

Joseph Lynch
Harrisonburg

Donald Lyons
Hillsville

Jannie Robinson
Chesapeake

Frank Royal, Jr.
Richmond



COMMONWEALTH of VIRGINIA

Department of Behavioral Health and Developmental Services
Post Office Box 1797
Richmond, Virginia 232181797

MINUTES STATE HUMAN RIGHTS COMMITTEE

Friday, March 4, 2011

Region Ten Community Services
500 Old Lynchburg Road
Charlottesville, Virginia
23903

Margaret S. Walsh
State Human Rights Director

Kli Kinzie
Executive Secretary

DBHDS
Office of Human Rights
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8:10

Sub-Committee

Members Present

Christina Delzingaro, Chair, Joseph Lynch, Donald Lyons

Others

Margaret Walsh, State Human Rights Director

The Sub-Committee for LHRC Structure met to discuss roles and responsibilities of local human rights committees.

No action taken.

8:30

Administrative Session

Members Present

Christina Delzingaro, **Chair**, Randy Johnsey, **Vice-Chair**, T.C. Bullock, Penny Cameron, Carolyn DeVilbiss, Donald Lyons, Joseph Lynch, Jannie Robinson

Members Excused

Frank Royal

Staff

Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Karen DeSousa, DBHDS Special Counsel
Chuck Collins, Regional Human Rights Advocate, Region 1
Deb Lochart, Regional Human Rights Advocate, Region 2
Nancy C. Neese, Regional Human Rights Advocate, Region 3
Mark Seymour, Human Rights Advocate, Children's Programs

Others

Sheri Gautier, Compliance Manager, Region Ten CSB
John Shepherd, Region Ten LHRC
Carmen del Toro, Program Manager, Creative Family Solutions, Inc.
Paul J. Buckley, Managing Attorney, VOPA
Rebecca Currin, Disability Rights Advocate, VOPA
Beth Green, Blue Ridge House (Region Ten), University of Va
Psychiatric Services LHRC
Christine Duguet, University of Va Psychiatric Services LHRC

**Call to Order and
Welcome**

At 8:40 a.m. Christina Delzingaro, called the administrative meeting to order. A call for introductions took place prior to proceeding.

**Approval of March
4, 2011 Agenda**

At 8:42 Christina Delzingaro announced the additions of appointing sub-committees for nomination of officers and SHRC membership. Margaret Walsh announced the possible addition of a brief training session for SHRC members on the human rights regulations.

Upon a motion by Randy Johnsey and seconded by Jannie Robinson the SHRC unanimously approved the agenda for the March 4, 2011, SHRC meeting with additions.

**Draft Model ICFMR
Variance**

At 8:43 Margaret Walsh reported on the development of a model ICFMR Variance for adoption by ICFMR programs which, if approved, would be in effect until the next revision of the human rights regulations. Ms. Walsh will continue to work with the Attorney General Office on development of the model variance.

SHRC Goals

At 8:58 the SHRC reviewed the Goals Worksheet. Christina Delzingaro asked about the drafting of the SHRC annual report. Margaret Walsh responded that she would like to have the annual report completed to present to the Board at the July 25, 2011, Board meeting.

Margaret Walsh will send the comprehensive goals document to SHRC members via e-mail for their review. Members should consider what the SHRC has accomplished in the past year, which goals should carry over to next year, and which goals should be discontinued or modified.

Margaret Walsh will submit a blank goals worksheet for the April 15 meeting to use for developing a worksheet for next year.

Margaret Walsh said the committee should have a final annual report draft ready for approval by the SHRC on June 10, 2011.

Sub-Committee Reports

Communications Committee

At 9:02 Carolyn DeVilbiss reported in the activities of the Communications Sub-Committee. LHRC Meeting Attendance Reporting has been added as a regular item on SHRC meeting agendas. This item allows time for SHRC members to report on the LHRC meetings they have attended.

SHRC members have been provided with a reporting form for use when attending LHRC meetings. This form can be revised as needed to suit reporting on any particular LHRC meeting.

Carolyn DeVilbiss said that Joseph Lynch and Randy Johnsey have taken the lead in writing the newsletter, *Human Writes*. Ms. DeVilbiss recommended the SHRC continue issuing the newsletter. Nancy C. Neese and Chuck Collins, Regional Human Rights Advocates, said they have been sharing the newsletters with their LHRCs.

In the past the annual LHRC seminar was a popular event and a useful communication tool for sharing ideas with LHRCs and for training LHRC members. Budgetary restraints have prevented the human rights office from holding LHRC seminars recently. The Northern Virginia area has been hosting regional events in which the LHRC Chairs and Vice-Chairs meet and hold leadership training. This event has been popular and it is a useful tool for communicating between the LHRCs in the Northern Virginia area. Attendees get together and share ideas and practices for running meetings, etc. Some LHRCs in other areas have LHRC training sessions during their LHRC meetings. Carolyn DeVilbiss said the planned restructuring of LHRCs will necessitate LHRC training in the future.

Carolyn DeVilbiss commented that she was pleased to see in the January SHRC minutes that Chair Christina Delzingaro encouraged all SHRC members to attend LHRC meetings. This is a good way of gathering information about how LHRC meetings are run and to share information with the SHRC to help in developing a more effective human rights system.

Carolyn DeVilbiss said some of the LHRCs have discussed possible means of furthering communications between the SHRC and the various LHRCs through electronic media. Jannie Robinson said that the human rights program cannot expect to be able to use a social networking communications format because we would need to have the appropriate license. It was also stated that anyone posting

information on the web or communicating about human rights issues would have to be careful not to violate HIPAA and confidentiality standards. Monitoring and filtering information would be cumbersome.

Margaret Walsh said the human rights program could easily post training tools and distribute appropriate information on the department's web site. Christina Delzingaro suggested posting PowerPoint presentations, etc., on the web site. Margaret Walsh said the department's resource for electronic data sharing is not very developed and she suggested that the Communications Committee consider working with department staff to develop and determine what information could be made available on the website. Jannie Robinson suggested developing a Webinar. Margaret Walsh said the Learning Center may be used for webinars.

Christina Delzingaro asked human rights staff for suggestions on how to promote and encourage others to access the tools and information on the department's web site.

Carolyn DeVilbiss will submit a formal report from the Communications Committee at the April SHRC meeting. Decisions will be incorporated into next year's goals.

**Appointing of
Committee for
SHRC Membership
and Officer
Nominations**

At 9:15 Christina Delzingaro suggested appointing a sub-committee that is responsible for both SHRC membership appointments/reappointments and for nomination of Officers for the upcoming term. Finding nothing that would prohibit a combined Membership and Nominating Committee, Chair Delzingaro asked for volunteers from the SHRC to serve on the new committee.

Christina Delzingaro appointed Jannie Robinson, T. C. Bullock and Donald Lyons to the Membership and Nominating Committee. Donald Lyons will Chair the committee.

Jannie Robinson asked if there is an orientation packet for SHRC members. This item may be added as a goal on the new worksheet.

**Meeting
Announcement**

At 9:16 Christina Delzingaro announced that the LHRC Structure Committee will meet from 10:00 a.m. to 12:00 p.m. at Dominion Youth Services in Richmond on Friday, March 18.

**Correspondence and
Information**

At 9:18 the SHRC reviewed correspondence received since the January 21, 2011 SHRC meeting. The SHRC acknowledges receipt of SHRC Appeal 11-1, VCBP Appeal Responses, a review of the

downsizing of Eastern State Hospital issued by the Office of the Inspector General, and a copy of Margaret Walsh's presentation to VOPA on the recent SHRC decisions regarding LHRCs and the department's plans regarding the human rights system.

**Sub-Committee on
LHRC Structure**

At 9:20 Christina Delzingaro directed attention to a packet of information concerning activities of the LHRC structure committee. In general the committee feels that LHRC meetings are a good opportunity for providers to get together and share information. Some providers are concerned that lowering attendance requirements may result in a less effective system. Ms. Delzingaro stressed that there is nothing to prohibit providers from attending all of meetings of their LHRCs.

There continues to be discussion about the use of affiliation fees. Providers can decide how to use the money and whether the money should be used for anything beyond clerical support. Margaret Walsh said that some advocates and providers have expressed disappointment that they were not solicited for their opinion on what to do with the money.

There is concern that the changes to LHRC structure may increase the work burden to advocates. The sub-committee will talk with the advocates further about this.

BREAK

At 9:30 Christina Delzingaro called for a 5 minute break.

9:35

Regular Session

Members Present

Christina Delzingaro, **Chair**, Randy Johnsey, **Vice-Chair**, T.C. Bullock, Penny Cameron, Carolyn DeVilbiss, Donald Lyons, Joseph Lynch, Jannie Robinson

Members Excused

Frank Royal

OHR Staff

Karen DeSousa, DBHDS Special Counsel
Margaret Walsh, State Human Rights Director
Kli Kinzie, Executive Secretary
Chuck Collins, Regional Human Rights Advocate, Region 1
Deb Lochart, Regional Human Rights Advocate, Region 2
Nancy C. Neese, Regional Human Rights Advocate, Region 3
Mark Seymour, Human Rights Advocate, Children's Programs

Other DBHDS Staff

John Pezzoli, Assistant Commissioner, Behavioral Health Services

Others

Robert Johnson, Executive Director, Region Ten CSB
Michael Leemann, Director of Compliance, Region Ten CSB
Sheri Gautier, Compliance Manager and LHRC Liaison, Region Ten CSB
Missy Rand, Director of Training, Region Ten CSB
John Shepherd, Region Ten LHRC
Carmen del Toro, Program Manager, Creative Family Solutions, Inc.
Paul J. Buckley, Managing Attorney, VOPA
Rebecca Currin, Disability Rights Advocate, VOPA
Beth Green, Blue Ridge House (Region Ten), University of Va Psychiatric Services LHRC
Christine Duguet, University of Va Psychiatric Services LHRC and Employee of Blue Ridge House (Region Ten CSB)
Judith Minter, Former Director of Social Work at WSH and member of University of Va Psychiatric Services LHRC
Ronald E. Telsch, Chair, Rockbridge Area LHRC
Wendy Price, Interested Person, Prospective LHRC Member

Call to Order and Introductions

At 9:37 Christina Delzingaro called the March 4, 2011, SHRC meeting to order. A call for introductions took place prior to proceeding.

Welcome

At 9:37 Mr. Robert Johnson, Executive Director of Region Ten Community Services Board welcomed the SHRC and briefly described the CSBs responsibilities and the populations served. Mr. Johnson thanked the SHRC and office of human rights for their work on behalf of consumers.

A tour was offered of the CSB's signature program, the Wellness Recovery Unit, a crisis stabilization center on the grounds of Region Ten CSB.

Break and Tour

At 9:40 Christina Delzingaro called for a break. Ms. Sheri Goutier offered a tour of the Wellness Recovery Unit.

Reconvene

At 10:12 Christina Delzingaro called the meeting to order.

**Minutes:
January 21, 2011**

At 10:12 the SHRC reviewed the draft minutes of the January 21, 2011, SHRC meeting.

Upon a motion by Randy Johnsey and seconded by T. C. Bullock the SHRC unanimously approved the minutes of the January 21, 2011, SHRC meeting as submitted.

Public Comment

At 10:13 Christina Delzingaro called for Public Comments. There were no public comments.

Chuck Collins, Regional Human Rights Advocate for Region 1, welcomed the SHRC to Region Ten CSB and introduced Mr. John Shepherd, Region Ten LHRC member, Ms. Carmen del Toro, Program Manager of Creation Family Services, Inc., Ms. Sheri Gautier, Compliance Manager and LHRC Liaison for Region Ten CSB, Mr. Michael Leemann, Director of Compliance for Region Ten CSB, Mr. Ronald E. Telsch, Chair of Rockbridge Area LHRC, Ms. Christine Duguet, University of Va Psychiatric Services LHRC and employee of Region Ten CSB's Blue Ridge House, Ms. Judith Minter, Former Director of Social Work at Western State Hospital and member of University of Virginia Psychiatric Services LHRC.

**Health Care
Provider Sub-
Committee**

At 10:15 Joseph Lynch reported on the activities of the Healthcare Provider (HCP) Committee. Members Joe Lynch, Penny Cameron, T. C. Bullock and Frank Royal reviewed the 2005 SHRC guidance on the definition of healthcare provider. The HCP Committee solicited feedback from LHRCs regarding how the current definition could be expanded and then incorporated that feedback into a proposed revised definition. The expanded definition adds persons with five years experience in direct face to face services provision to the LHRC's targeted populations. Joseph Lynch said there would be equal weight given to licensed professionals and to care providers with five years experience. The new HCP definition would not disqualify owners of programs as healthcare providers.

Karen DeSousa, Special Counsel, commented that "direct services" includes a wide range. Joseph Lynch responded that the proposed new definition is intended to include a wide range of services. Karen DeSousa stressed that it is important to note that LHRC Healthcare Provider designees are not appointed to conduct peer reviews of providers who come before the LHRC. Their presence helps to ensure a diverse perspective of the LHRC body. Joseph Lynch said the committee welcomes input from the Attorney General Office. The HCP Committee will work with Karen DeSousa on finalizing the definition.

Upon a motion by Randy Johnsey and seconded by Carolyn DeVilbiss the SHRC unanimously accepts the new definition of Healthcare Provider pending Karen DeSousa's final review.

**Variance Report:
Virginia Beach
Human Services
12 VAC 35-115-50,
C7& C8**

At 10:25 on behalf of Reginald T. Daye, Regional Advocate for Region 5, Nancy C. Neese, Regional Advocate for Region 3, presented the Variance report from Virginia Beach Department of Human Services (DHS) for continued use of its Variance to section 12 VAC 35-115-50, C7& C8, of the *Rules and Regulations to Assure the Rights*

of Individuals Receiving Services from Providers Licensed, Funded, or Operated by DMHMRSAS/DBHDS. The Variance allows the program to restrict visitation and phone calls while in the Residential Crisis Stabilization program.

Upon review the SHRC found that the annual report submitted did not include data about how often the variance was utilized and the outcome of its use.

The SHRC asks that Virginia Beach Department of Human Services revise the report to include data and information as to how often the variance was utilized and the outcome of the use of the Variance and resubmit the report by March 25, 2011, for inclusion on the agenda for the April 15, 2011, SHRC meeting.

**Variance Report:
The Pines
Residential
Treatment Center
12 VAC 35-115-100
& 12 VAC 35-115-50,
C7**

A 10:30 on behalf of Reginald T. Daye, Regional Advocate for Region 5, Nancy C. Neese, Regional Advocate for Region 3, presented the Variance communication submitted to the office of human rights from The Pines Residential Treatment Center pertaining to its Variance to sections 12 VAC 35-115-100 & 12 VAC 35-115-50, C7 of the *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Operated or Funded by DMHMRSAS/DBHDS*. The above Variance allowed the program to utilize its point level system. The Variance was formerly approved by the SHRC on October 23, 2009, for a two year period with required annual updates.

Upon review and discussion the SHRC determines that The Pines RTC has not submitted the required annual update and the Variance is therefore no longer in effect.

Upon a motion by Randy Johnsey and seconded by Jannie Robinson and T. C. Bullock the SHRC unanimously voted to rescind The Pines RTC Variance to sections 12 VAC 35-115-100 A 1 g and 12 VAC 35-115-50 C 7 of the Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Operated or Funded by DMHMRSAS/DBHDS (human rights regulations) for use of their point level system. Should The Pines RTC utilize the point level system as established pursuant to the variance, it would be in violation of the human rights regulations

Should The Pines RTC wish to re-apply for the above variance the program representative may come before the SHRC pursuant to section 12 VAC 35-115-220 of the human rights regulations.

VCBR Behavioral

At 10:32 Margaret Walsh presented the Behavioral Expectations

Expectations Guide

Guide for Virginia Center for Behavioral Rehabilitation. Ms. Walsh said this is the first time this guide has come to the attention of the SHRC and she feels it is important that the SHRC look at it closely.

Penny Cameron asked for an explanation of “emotional boundary”. Carolyn DeVilbiss asked about the range of consequences that may be employed by staff in response to behaviors. T. C. Bullock expressed concern about the background of staff and suggested that there should at least be a set of rules that apply to a certain set of behaviors.

Margaret Walsh asked if the SHRC would like to invite the Facility Director, Kimberly Runion, and the Clinical Program Director, Dr. Mario Dennis, to come to a meeting and talk with the SHRC about what type and what range of consequences may be employed for behaviors and to clarify the meaning of emotional boundaries. The facility representatives could also to talk about staff directives and answer other questions.

Christina Delzingaro said that it is positive that the facility is allowing for flexibility but the guide may be a little too open or unspecific as is. Ms. Delzingaro said it may be helpful to know where the guide is placed in the facility’s policy manual.

Margaret Walsh will invite the Kimberly Runion and Mario Dennis to the April 15, 2011, SHRC Meeting .

At 10:42 Chuck Collins, Regional Advocate for Region 1, introduced Ms. June Ellman, Director of Quality Assurance and Human Rights Liaison for the Arc of the Piedmont in Charlottesville, and John Pezzoli, Assistant Commissioner, Behavioral Health Services, DBHDS.

**Annual Report:
Region 1**

At 10:42 Chuck Collins, Regional Advocate for Region 1, introduced Mark Seymour, Human Rights Advocate. Chuck gave a brief overview of staff changes, office responsibilities and the programs in Region 1.

Chuck Collins invited Joseph Lynch, Christina Delzingaro and any other interested SHRC members to attend the LHRC meetings in his region.

Chuck Collins reviewed the statistics for abuse/neglect allegations and founded vs. unfounded cases. He stressed the importance spending time in the field to provide a physical presence to consumers and program staff. Western State Hospital patients attend LHRC meetings

and are actively involved during public comment periods.

Mark Seymour remarked on the wide array of services provided to children. Mr. Seymour reported that the number of complaints and allegations is decreasing, and that some of the children are showing a marked level of understanding of their rights. Mr. Seymour also reported that Commonwealth Center for Children and Adolescents has lost a significant number of staff and that the seclusion/restraint data entry is not as efficient as in the past.

Chuck Collins said that Region 1 has regional trainings associated with each CSB. These regional trainings include representatives from all of the affiliated programs. Training sessions include the use of written presentations from Karen DeSousa of the Attorney General Office.

Chuck Collins reviewed the response his office has received from LHRCs regarding the LHRC Structure Committee's proposals. Mr. Collins has some unanswered questions that he will forward to Margaret Walsh and Christina Delzingaro. Some concerns are regarding consolidating of affiliations and LHRCs, and the role of the LHRC secretary.

In closing Chuck Collins thanked the SHRC for the opportunity to speak and stressed that communication between LHRCs and the SHRC is absolutely essential.

Carolyn DeVilbiss asked human rights staff for suggestions on how to improve communication.

**Waiting Lists –
Discharges &
Transfers
11:14**

At 11:14 Margaret Walsh introduced John Pezzoli, Assistant Commissioner, Behavioral Health Services for DBHDS.

Christina Delzingaro briefly reviewed the SHRC's concerns about discharges and transfers from and between facilities, especially at Eastern State Hospital. The SHRC is exploring the issues of ready for discharge, and of ready to move to community/less restrictive environments. Ms. Delzingaro also mentioned the SHRC's concerns with recent decisions about Training Centers and asked John Pezzoli about the department's plans.

John Pezzoli thanked the SHRC for inviting him to the meeting and said he would like to attend SHRC meetings more often to keep the committee updated on ongoing issues. In response to the SHRC's concerns about transfers and discharges, the system is currently log-

jammed, especially at Eastern State Hospital (ESH). To some degree there are exchange and capacity problems across the system. This back log is very concerning and the Office of the Inspector General has issued a Review of the Downsizing of Eastern State Hospital and the Impact on Hampton Roads.

John Pezzoli stressed the need to move many consumers toward conditional release. Equal in urgency is the crisis of admissions to state hospitals and facilities. Currently beds are not available because discharges are not timely, causing an extremely critical interaction of problems with motion thru and out of facilities. To some degree, this has impacted the flow from forensic wards to less restrictive environments.

The plan to move consumers out of state-run facilities and into the community called for downsizing of state facilities while simultaneously increasing capacity and supports for community programs. Monetary and staff support were cut at facilities as they were downsized. An economic downturn resulted in cut-backs in the community budget and the removal of funding for community supports. This meant that programs were not available to accept consumers into the community.

Major progress is occurring as the department has made a priority of replacing significant funds to the budget. Effective July 1, 2011, some funding will be restored as a result of acts of the General Assembly.

A regional forensics review committee is in effect at the hospitals and in the jail system which will allow inmates and consumers to work toward conditional release. Some discharging and moving to less restrictive environments have sped up which has put a false barrier between civil and forensics beds.

John Pezzoli is working with the Commissioner and the Office of Community Support to increase flow out of facilities into the community and to move consumers between facilities and across wards. Mr. Pezzoli expressed his respect for the work the SHRC and VOPA are doing in this area.

Joseph Lynch asked John Pezzoli to comment on plans for DBHDS Training Centers. John Pezzoli responded that the Department of Justice's (DOJ) official point of view is that consumers are not receiving person centered care in Training Centers and that, therefore, the department is in violation of their civil rights. As a result of this finding, DOJ decided the Training Centers should be shut down.

Carolyn DeVilbiss asked if there has been any movement regarding forensics at Central State Hospital. John Pezzoli responded that although there have been three transfers out of Forensics recently, the hospital has had two new admissions.

Carolyn DeVilbiss asked what is available in the jails. John Pezzoli said there is a pilot project in effect in five of six jails. A Competency ward/wing has been built. Mr. Pezzoli commented that jails who do participate in offering services, treatment and medications do a good job of it, but some jails are reluctant to do it, and there is a mixture of what is available in some of the jails.

Margaret Walsh said the SHRC has been concerned about the backlog of transfers from Central State Hospital of consumers who are clinically ready for discharge and who the Forensic Review Panel has determined to be ready for discharge. Some of those who are ready for discharge have been waiting an inappropriate length of time to be moved out of maximum security. John Pezzoli responded that he is working with the Commissioner and the Facility Directors of Central State Hospital and Eastern State Hospital to make appropriate beds available to receive transfers. Mr. Pezzoli said the impact at ESH is worse than anywhere else in the state.

Christina Delzingaro thanked John Pezzoli for coming to speak with the SHRC. John Pezzoli expressed his thanks and said he would like to come back to provide updates.

Committee on LHRC Structure

At 11:50 Christina Delzingaro described some of the proposed processes the LHRC Structure Committee has been working on. If an LHRC has been without two code mandated members for at least 12 months, a review of the efficacy of the LHRC will be conducted. Consolidation of LHRCs will not be automatic. It is the point of view of the LHRC Structure Committee that an LHRC that does not provide its consumers with all of the code mandated LHRC members is not truly a functioning LHRC. Certain factors will be considered before consolidation takes place (i.e., geographic area, etc.). The LHRC Structure Committee will keep advocates informed as a decision tree for LHRC disposition is developed.

Role of LHRC Secretary as an officer is being explored. If an affiliated provider decides that, rather than delegating administrative duties to one provider, the duty of administrative support will be shared among providers, then there must be a system of notice and rotation of duties, etc. An LHRC member could be responsible for

posting public notices and minutes and for coordinating the sharing of the role of Secretary.

Margaret Walsh highlighted some of the issues that went into the need to form the LHRC Structure Sub-Committee. There are certain limitations in authority because some things are not stated in the human rights regulations.

Ronald E. Telsch, Chair of the Rockbridge Area LHRC, said his LHRC has a distinct interest in involving the consumers in their discussions. This helps to arrive at mutually acceptable solutions to issues. Mr. Telsch said he found it extremely helpful to be present at the SHRC meeting and asked SHRC members to please attend LHRC meetings in their areas. There should be more face time and direct contact at meetings, through e-mails, etc. Mr. Telsch suggested that there are other ways to help train LHRCs, such as workbooks, on-line trainings with 10 question /answer quizzes. There is a strong need for an avenue to get everyone on the same page. The Rockbridge Area LHRC is very pleased with the business they are conducting and Mr. Telsch wants to maintain this open dialog with the SHRC.

BREAK

BREAK FOR LUNCH

At 12:20 Christina Delzingaro called a break for lunch.

**Annual Report
Region 3**

At 12:37 Nancy C. Neese, Regional Advocate for Region 3, presented the annual report for Region 3 on behalf of herself, BJ McKnight and Deb Jones. Ms. Neese presented a PowerPoint slideshow which summarized statistical data for the region. Ms. Neese described the geography of the region and the programs and facilities within.

Nan Neese touched on the ICFMR model variance and said some LHRCs in Region 3 will have ICFMR programs. Ms. Neese stressed the importance of individualized services plans and talked about the number of new programs coming through the licensing process.

The Regional office is continuing to look at the use of seclusion and restraint and providing effective training on restraint techniques. One of her LHRCs looked closely at “police-like” restraint techniques being used at a program.

In closing, Ms. Neese thanked the SHRC for the work they do and thanked the committee for the opportunity to present her annual report.

**LHRC Meeting
Attendance**

At 1:06 Christina Delzingaro asked SHRC members to reported on LHRC meetings in their areas. There were no reports. Ms. Delzingaro

Reporting	reminded SHRC members to attend at least two LHRC meetings a year.
LHRC Membership Appointments:	<p><i>At 1:07 upon a motion by Randy Johnsey the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(1) for the purpose of discussion and consideration of appointments to and removals from Local Human Rights Committees.</i></p> <p>Upon reconvening in open session, the State Human Rights Committee certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session were discussed in closed session.</p> <p><i>Upon a motion by Randy Johnsey and seconded by T. C. Bullock the SHRC unanimously made the following appointments.</i></p>
Region 1	<p>Harrisonburg-Rockingham LHRC Appoint: Ms. Gayl Brunk</p> <p>Rappahannock-Rapidan LHRC Appoint: Ms. Darlene Heckethorn</p> <p>University of Virginia LHRC Appoint: Ms. Christine Duguet</p>
Region 4	<p>Central Area LHRC Appoint: Mr. Ronald Tucker</p> <p>Southside Virginia Training Center LHRC Appoint: Mr. James E. Hume</p> <p>Petersburg Regional LHRC Appoint: Ms. Kathy R. Tierney</p>
Region 5	<p>Southeastern Virginia Training Center LHRC Appoint: Ms. Karen Richardson</p>
FOIA Training	<p>At 1:10 Karen DeSousa, DBHDS Special Counsel, provided annual Freedom of Information Act (FOIA) training to the SHRC. FOIA insures that citizens of Virginia have access to public information. Statute requires that any member appointed to a public body has training on FOIA. Ms. DeSousa reviewed the few changes to FOIA that have been implemented this year and highlighted requirements of particular interest to the SHRC and LHRCs.</p> <p>The Freedom of Information Act is available at http://FOIAcouncil.dls.virginia.gov</p>

Adjournment

At 1:50 the March 4, 2011, State Human Rights Committee meeting adjourned.

The next SHRC meeting will be held on April 15, 2011, at the Powhatan Office of Goochland-Powhatan Community Services Board.

Respectfully Submitted:



Christina Delzingaro, Chair



Kli Kinzie, Secretary